

REMARKS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Applicants note with appreciation that claims 2 and 7-27 are free of the prior art. It is respectfully submitted that the remaining claims 1 and 3-6 are in condition for allowance.

Claim 3 is amended to depend from only claim 1.

Claim 10 is amended to depend from claim 8.

In view of the cancellation of claim 12, the formal rejection of this claim is no longer applicable.

Reconsideration and withdrawal of the rejection of claims 4 and 6, under 35 USC 102(b), as anticipated by GB 1,359,171 (GB 171) or Segal, U.S. 4,659,807 (US 807), is respectfully requested for at least the following reasons.

Current claim 4 (designated as “original”), which, as explained in footnote 2, above, was amended during the International Phase on August 10, 2001 and, therefore, is believed to be the original claim on file, is directed to a composition which includes a non-aqueous organic solvent (“organic solvent free from water”) or aqueous organic solvent (“water and one or more water soluble organic solvents”).

The subject matters of claims 4 and 6 are not anticipated by GB 171 or by US 807, at least for the reason that each of these references are concerned with azo dyestuffs characterized by water solubility and only aqueous dye formulations for dyeing and printing textile fibers are described. There is no disclosure of compositions comprising aqueous organic solvent or non-aqueous organic solvent with azo dyes.

Accordingly, reconsideration and withdrawal of the rejection of claims 4 and 6, under 35 USC 102(b) is respectfully requested.

Reconsideration and withdrawal of the rejection of claims 1 and 3-6, under 35 USC 103(a) as unpatentable over GB 171 or US 807, is respectfully requested for at least the following reasons.

As noted above, the disclosures of GB 171 and US 807, are concerned with water soluble azo dyes for use in dyeing textiles. The compounds according to Formula (1) or Formula (2), in contrast, were discovered to be useful in the electronics industry, especially in the production of color filters. It would not have been obvious that any of the compounds within the scope of the broad disclosures of these references would have such utility.

Referring to claims 4-6, it was already explained that these references disclose only aqueous (non-organic) solutions of the water-soluble azo dyestuffs. It would not have been obvious to modify these disclosures to provide organic based solvent compositions in view of the essential water-soluble property of the disclosed compounds.

As for the compounds of claims 1 and 3, the compounds disclosed in US 807 and GB 171 would not have led the practitioner to the specific class of compounds claimed herein.

With regard to GB 171, and, in particular, Example 5 of this reference, the compounds of claims 1 and 3 would not have been suggested because the compounds of Example 5 do not include a carboxy group ortho to the azo linkage. Furthermore, there is nothing in the general disclosure of GB 171 which would have directed the practitioner to compounds with the ortho carboxy group.

The compounds of US 807, although including compounds with an ortho -COOH group on the phenyl ring, as in the compound of Example 3, also fail to suggest compounds according to the present invention. For instance, in the case of the compound of Example 3, (and also the compound of Example 20), the substituent bonded to the nitrogen atom of the pyrazone structure is an ethyl group, which is excluded by the proviso ii) of claims 1 and 3.

Accordingly, it is respectfully submitted that the compounds of Claims 1 and 3 would not have been obvious in view of either GB 171 or US 807.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: Richard A. Steinberg

Richard A. Steinberg

Registration No. 26,588

Direct No. (703) 905-2039

Paul L. Sharer

Registration No. 36,004

Direct No. (703) 905-2180

RAS\
1600 Tysons Boulevard
McLean, VA 22102
(703) 905-2000 Telephone
(703) 905-2500 Facsimile

Attorney Reference: 070662/0291078